

Mr. Speaker.

SPEAKER NICHOL: So ordered. Anything else, Mr. Clerk?

CLERK: Yes, sir. Mr. President, Senator Beutler would move to amend.

SPEAKER NICHOL: Senator Beutler, are you about?

SENATOR BEUTLER: Mr. Clerk, I have three amendments up and I wish to withdraw the first two.

CLERK: First two? All right. The second one goes away too. Next amendment I have, since Senator Johnson is not here, Senator Hoagland, you would move to amend the bill. (See amendment found on pages 1049-1052 of the Legislative Journal.)

SENATOR HOAGLAND: Mr. Speaker and colleagues, this is an omnibus clean-up amendment that is brought in by the sponsors of the bill. The first thing it does is it strikes the Vard Johnson language that was adopted two weeks ago which allows the breaking down to subdistricts, and then in turn allows those...the subdistrict...Let me start over again. You will recall that Senator Johnson, two weeks ago, adopted an amendment that would allow a situation where a Class I district breaks into two or three fragments and joins adjoining Class II or Class III subdistricts. Under that circumstance the fragment of the Class I districts that retains the school house, the individuals, the residents within that portion of the Class I district then have a vote to determine whether or not the school house should remain open or not. Now Senator Lamb secured an Attorney General's Opinion. The Attorney General has raised serious constitutional questions about that. During the debates there seemed to be no defense of that provision from those who were opposed to this bill. The proponents of the bill see no particular point in leaving the provision in that may be constitutionally unfirm, so the first thing this amendment would do is simply strike the six or seven lines of the Vard Johnson amendment that deal with the situation where a Class I district is fragmented when it is joined up with adjoining Class II and Class III districts. Now the second thing this amendment does is it amends Senator Smith's amendment. You'll recall Senator Smith proposed and the body adopted an amendment, two weeks ago when we were on